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Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 NEAE-00 SSO-00 NSCE-00 USIE-00 INRE-00
CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05
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FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC IMMEDIATE 4166
INFO AMEMBASSY AMMAN
AMEMBASSY CAIRO
AMEMBASSY DAMASCUS
AMCONSUL JERUSALEM

UNCLAS TEL AVIV 8523

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SUBJECT: CABINET CRISIS

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1. THE FOLLOWING IS THE TEXT OF THAT PROTION OF THE COMMUNIQUE ISSUED AFTER THE DECEMBER 19 CABINET MEETING REPORTING THE DISCUSSION OF PRIME MINISTER RABIN'S DISMISSAL OF THE THREE NATIONAL RELIGIOUS PARTY MINISTERS:
BEGIN TEXT: TODAY.S WEEKLY SESSION OF THE CABINET OF THE GOVERNEMNT OF ISRAEL OPENED WITH THE PRIME MINISTER'S STATEMENT ON THE SITUATION CRATED IN THE WAKE OF THE NRP MINISTERS' ABSTENTION FROM VOTING IN THE KNESSET ON DECEMBER 14, 1976 ON THE MOTION OF NO-CONFIDENCE IN THE GOVERNMENT, WITHOUT THE CABINET'S CONCURRENCE AND WITHOUT RESIGNING FROM THE GOVERN-MENT--A SITUATION THAT CANNOT BE GLOSSED OVER FROM A FUNDAMENTAL AND CONSTITUTIONAL ASPECT. THE PRIME MINISTER STATED THAT HE HAD REACHED THE CONCLUSION THAT IT WAS IMPERATIVE TO PREVENT ESTABLISHMENT OF A PRECEDENT BASICALLY UNDERMINING THE RULES OF COLLECTIVE RESPONSIBILITY AND THE LAWA AND PROPOSED
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TO THE CABINET TO APPLY TO THIS INSTANCE SECTION 11(G)(2) OF THE TRANSITION LAW, 1949-- WHICH STATES THAT MEMBER S OF THE GOVERNMENT WHO ABSTAINED FROM VOTING ARE DEEMED TO HAVE RESIGNED FROM THE GOVERNMENT.

2. THIS IS A DECISION THAT PREFERS PUISSANT-NATIONAL (SIC)

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CONSIDERATIONS OVER ANY OTHER CONSIDERATIONS. REGULAR RELATIONS OF COOPERATION HAVE OBTAINED IN THE CABINET. THIS DECISION STEMS NOT FROM A STATE OF QUARREL BETWEEN THE PRIME MINISTER AND THE NRP MINISTERS, NOR FROM AN UNDERMINING OF RELATIONS BETWEEN THEM AND OTHER MEMBERS OF THE CABINET, BUT FROM AN AWARENESS THAT THE GOVERNMENT OF ISRAEL IS NOT ENTITLED TO FOREGO EXECUTION OF THE LAW AND REFRAIN FROM STANDING ON ITS DIGNITY--EVEN THOUGH ITS PARLIAMENTARY SITUATION BE ENCUMBERED THEREBY.

3. THE PRIME MINISTER SUBMITTED FOR CABINET RESOLUTION THE FOLLOWING MOTION: RESOLVED:
A) CABINET MEMBERS YITZHAK RAPHAEL AND ZEVULUN HAMMER ABSTAINED, WITHOUT THE CABINET'S PRIOR CONCURRENCE, FROM VOTING ON DECEMBER 14, 1976 FOR THE GOVERNMENT'S MOTION TO REJECT A NO-CONFIDENCE MOTION TABLED BY THE "TORAH-RELIGIOUS FRONT' FACTION. AS STATED IN SECTION 11(G)(2) OF THE TRANSITION LAW, 1949, THE AFORMENTIONED CABINET MEMBERS ARE DEEMED TO HAVE RESIGNED FROM THE GOVERNMENT.
B) THE NATIONAL RELIGIOUS FRONT FACTION'S ABSTENTION IN THE VOTE THAT TOOK PLACE ON DECEMBER 14, 1976 ON A MOTION OF NO-CONFIDENCE IN THE GOVERNMENT, CONSTITUTED VIOLATION OF RESPONSIBILITY UNDER SECTION 11(B) OF THE TRANSITION LAW, 1949. CABINET MEMBERS YOSEF BURG,YITZHAK RAPHAEL AND ZEVULUN HAMMER ARE DEEMED TO HAVE RESIGNED FROM THE GOVERNEMNT, AS STATED IN SECTION 11(G)(3) AFOREMENTIONED.
C) THE GOVERNMENT SHALL DELIVER A STATEMENT TO THE KNESSET ON THIS RESOLUTION, AS STATED IN SECTIONS 11(G)(2) AND (3) OF THE TRANSITION LAW, 1949.

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4. THE PRIME MINISTER STATED THAT IF THE MOTION WAS APPROVED BY THE CABINET, HE WOULD DELIVER A STATEMENT THEREON IN THE KNESSET AT ITS SESSION TOMORROW. UNTIL DELIVERY OF THE STATEMENT, THE THREE MINISTERS ARE OF COURSE MEMBERS OF THE CABINET TO ALL INTENTS.

5. THE PRIME MINISTER REITERATED HIS EXPRESSION OF REGRET OVER THE DEVELOPMENT THAT HAD COMPELLED HIM TO SUBMIT THIS MOTION TO THE CABINET, AND EXPRESSED HIS CONFIDENCE THAT DESPITE THE REGRETTABLE OCCURRENCE, THE CONTINUOUS HISTORIC PARTNERSHIP BETWEEN THE "LABOR" MOVEMENT AND THE NATIONAL RELIGIOUS PARTY WOULD NOT BE UNDERMINED.

6. UPON CONCLUSION OF THE PRIME MINISTER'S STATEMENT, DISCUSSION OF HIS MOTION COMMENCED. MINISTERS BURG, RAPHAEL AND HAMMER--WHO SPOKE FOLLOWING EACH OTHER--STRESSED THAT THEY HAD COMPORTED THEMSELVES DURING THE VOTE IN THE KNESSET IN ACCORDANCE WITH THEIR CONSCIENCE, AND NOT FROM LACK OF KNOWLEDGY OF THE LAW.

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THEY VOICED REGRET AT THE FACT THAT THE PRIME MINISTER
SAW FIT TO SUBMIT TO THE CABINET HIS MOTION REGARDING
EXECUTION OF THE LAW IN THE WAKE OF THEIR ABSTENTION FROM
VOTING--THIS, AT A TIME WHEN THE STATE OF ISRAEL IS IN
NEED OF GREATER STABILITY.

7. THE NRP MINISTERS REMARKED THAT THE "LABOR" MOVEMENT
WAS ASSUMING RESPONSIBILITY FOR DISOLVING THE HISTORIC PARTNER-
SHIP BETWEEN IT AND RELIGIOUS-ZIONIST JEWRY, AND REFERRED TO
THE POSSIBILITY OF ADVANCING THE ELECTIONS TO THE KNESSET. THE
NRP MINISTERS' STATMENTS CONTAINED EXPRESSION OF APPRECIATION
FOR THE GOVERNMENT'S ACHIEVEMENTS AND FOR THE JOINT WORK IN
THE CABINET, WHICH WQS CONDUCTED AMIDST RELATIONS OF DIGNITY
AND AMITY BETWEEN THE MINISTERS.

8. THE FOLLOWING MINISTERS PARTICIPATED IN THE DISCUSSION:
MESSRS. BURG, RAPHAEL, HAMMER, ALLON, PERES, YAACOBI, SHEM-TOV,
RABINOWITZ, HAUSNER, HILLEL, ZADOK, ROSEN, GALILI, AND YADLIN.
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THE MINISTERS WHO WERE UNABLE TO TAKE THE FLOOR ANNOUNCED THAT
THEY SUPPORTED THE PRIME MINISTER'S MOTION. THE CABINET'S
RESOLUTION WAS PASSED UNANIMOUSLY. MINISTERS BURG, RAPHAEL
AND HAMMER DID NOT PARTICIPATE IN THE VOTE.

9. PRIOR TO THE CABINET SESSION, THE PRIME MINISTER HELD TALKS
WITH ALL COALITION PARTIES. FOLLOWING THE CABINET SESSION,
THE PRIME MINISTER REPORTED THE RESOLUTION TO THE PRESIDENT.
END TEXT.
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